ORDINANCE NO. 410-06

BY: **BRIAN DAY**
    (By Request – Mayor and City Grant Writer)


                    AN     ORDINANCE    AUTHORIZING    THE    CITY'S
                    PARTICIPATION   AND   RATIFYING   THE   PRIOR
                    PARTICIPATION WITH THE DEPARTMENT OF THE ARMY,
                    CORPS OF ENGINEERS, IN THE WEST CREEK SANITARY
                    SEWER PROJECT AND AUTHORIZING THE MAYOR TO ACT
                    FOR AND ON BEHALF OF THE CITY OF PARMA/COUNTY
                    OF   CUYAHOGA   IN   EXECUTING,   ACCEPTING   OR
                    OTHERWISE APPROVING ALL DOCUMENTS, AGREEMENTS,
                    INSTRUMENTS,   OR   OTHER   NECESSARY   PAPERS
                    REQUIRED BY THE DEPARTMENT OF THE ARMY FOR
                    PARTICIPATION  IN  THE  IMPLEMENTATION  OF  THE
                    PROJECT, AND DECLARING AN EMERGENCY


BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

     Section 1.  That the City of Parma hereby ratifies prior
participation and acts of the City and its representatives and
officials in the design of the West Creek Sanitary Sewer Project as
generally described in the West Creek Watershed Existing Septic
System Abatement General Plan for the City of Parma, dated May 5,
2004, and approved by the Ohio Environmental Protection Agency on
January 17, 2006, with the Department of the Army, and further,
hereby authorizes and approves participation of the City of Parma,
Ohio,  through  its  representatives  and  officials  in  the
implementation of the Project with the Department of the Army,
Corps of Engineers.

     Section 2.  That the Mayor is hereby authorized to execute,
accept, or otherwise approve to attest the signature, for and on
behalf of the City, all documents, agreements, instruments and
other necessary papers including but not limited to the Project
Cooperation Agreement between the Department of the Army and the
City of Parma, Ohio, for design work of the West Creek Sanitary
Sewer Project, as may be considered necessary or required by the
Department of the Army for participation in the Project and for the
performance of all obligations contained in said Agreement,
including but not limited to the provision of notice when so
required, the provisions of opportunities to the Government to
review and comment when so required, to obtain all necessary
permits and licenses, holding and saving the united States
Government free from all damages arising from the Project and any
Project-related betterments, except for damages due to the fault or
negligence of the Government or its contractors, paying the non-
Federal share of total project costs, and compliance with all
applicable Federal and State laws and regulations.  The Mayor is
hereby authorized to accept, deposit, appropriate and expend grant
proceeds in Fund No. _____.

     Section 3.  That it is found and determined that all formal
actions of this Council concerning and relating to the adoption of
this Ordinance were adopted in an open meeting of this Council, and
that all deliberations of this Council and any of its committees
that resulted in such formal action were in meetings open to the
public in compliance with all legal requirements.

Ord. authorizing the City's participation and ratifying its prior participation with the Department of the Army, Corps of Engineers, in the West Creek Sanitary Sewer Project and authorizing the Mayor to act for and on behalf of the City of Parma/County of Cuyahoga in executing, accepting or otherwise approving all documents, agreements, instruments, or other necessary papers required by the Department of the Army for participation in the implementation of the Project, and declaring an emergency

 

 

     Section 4.  That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of the City of Parma, and for the further reason that this measure is necessary for timely receipt of reimbursement funds, and this Ordinance shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

 

 

PASSED:_____        _____
                                          PRESIDENT OF COUNCIL

ATTEST:_____   APPROVED:_____
              CLERK OF COUNCIL

FILED WITH
THE MAYOR:_____        _____
                                          MAYOR, CITY OF PARMA, OHIO